

**CONSENT AGENDA
APRIL 12, 2010**

A. APPROVAL OF MINUTES

- 1. SUBJECT: APPROVAL OF MINUTES DATED
NOVEMBER 23 AND NOVEMBER 30, 2009**

ISSUE/PURPOSE: The above listed minutes are before the Board for approval. See TAB **B**.

B. SCHEDULE PUBLIC HEARING

- 1. SUBJECT: SCHEDULE PUBLIC HEARING**

**R-FY-10-
SCHEDULE PUBLIC HEARING
CONCERNING THE INTENTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF MONTGOMERY, VIRGINIA
TO PROPOSE FOR PASSAGE A RESOLUTION AUTHORIZING
THE ISSUANCE OF A NOT TO EXCEED \$ 8,250,000 GENERAL OBLIGATION
SCHOOL BOND, SERIES 2010 OF THE COUNTY OF MONTGOMERY, VIRGINIA
TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY**

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby agrees to schedule a public hearing for May 10, 2010, at 7:15 p.m. or as soon thereafter in the Board Room, Montgomery County Government Center located at 755 Roanoke Street, Christiansburg, Virginia to hear citizen comments on the following:

General Obligation School Bond – School Capital Projects – Prices Fork
Elementary School

Resolution authorizing the issuance not to exceed \$8,250,000 principal amount of a general obligation school bond of the County of Montgomery, Virginia. The Bond is to be issued for financing capital projects for public school purposes and is to be sold to the Virginia Public School Authority.

ISSUE/PURPOSE: Schedule a public hearing.

JUSTIFICATION: This resolution schedules a public hearing to seek public comment on the Board's intention to issue bonds to be sold to VPSA for the new Prices Fork Elementary School

C. APPROPRIATIONS AND TRANSFERS

**1. SUBJECT: COMPREHENSIVE SERVICES ACT
SUPPLEMENTAL APPROPRIATION**

**A-FY-10-
COMPREHENSIVE SERVICES ACT
SUPPLEMENTAL APPROPRIATION**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2010, for the function and in the amount as follows:

510	Comprehensive Services Act	\$549,946
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The sources of the funds for the foregoing appropriation are as follows:

<u>Revenue Account</u>	
02510-424445 Comprehensive Services Act	\$473,437
02510-419108 Recovered Costs	<u>\$ 76,509</u>
Total	\$549,946

Said resolution appropriates funding and recovered cost dollars to pay for services under the state Comprehensive Services Act.

ISSUE/PURPOSE: Appropriate Comprehensive Services Act funds.

JUSTIFICATION: This resolution provides state funds and recovered cost dollars necessary based on the Comprehensive Services Act state allocation. Historically, the County's match rate on CSA funding has been 28.34%. In FY 09, the state changed the match rate to vary by type of service provided. It is estimated that the County's average match rate for costs incurred for FY 10 placements will be 25.07%. To cover the local share of the state allocation, local funds in the current FY 10 appropriation plus the additional funds from recovered costs are needed.

**2. SUBJECT: APPROPRIATION OF SCHOOL BOND
PROCEEDS –ELLISTON/LAFAYETTE
ELEMENTARY SCHOOL**

**A-FY-10-
APPROPRIATION OF SCHOOL BOND PROCEEDS
ELLISTON/LAFAYETTE ELEMENTARY SCHOOL**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the School Capital Projects Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ended June 30, 2010, for the function and in the amount as follows:

Elliston/Lafayette Elementary School	\$7,328,469
Cost of Issuance	<u>\$ 36,996</u>
Total	\$7,365,464

The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
424244 Bond Proceeds – Qualified School Construction Bonds	\$7,365,464

Said resolution appropriates the bond proceeds from the Qualified School Construction Bond issuance for a portion of the construction of the Elliston/Lafayette Elementary School and costs of issuance.

ISSUE/PURPOSE: Appropriate Qualified School Construction Bonds for the Elliston/Lafayette Elementary School.

JUSTIFICATION: In October 2009 the Board of Supervisors approved issuing Qualified School Construction Bonds to cover a portion of the costs associated with the Elliston/Lafayette Elementary School. The proceeds were received in December, 2009. This resolution appropriates those proceeds for expenditure.

3. SUBJECT: RSVP – FUNDRAISING APPROPRIATION

**A-FY-10-
RSVP
FUNDRAISING APPROPRIATION**

BE IT RESOLVED, by the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2010, for the function and in the amount as follows:

520 Human Services \$100

The source of the funds for the foregoing appropriation is as follows

Revenue Account

451205 Designated Fund Balance \$100

Said resolution appropriates fundraising monies collected by RSVP in FY 09 that were not appropriated before year-end.

ISSUE/PURPOSE: Appropriate fundraising monies.

JUSTIFICATION: This resolution appropriates fundraising monies collected by RSVP in FY 09 that were not appropriated before year-end. These funds will be used for additional fundraising and scholarships in FY 10.

4. SUBJECT: EMERGENCY SERVICES COORDINATOR

**A-FY-10-
EMERGENCY SERVICES COORDINATOR
APPROPRIATION OF FIRE & RESCUE FUNDS FROM
THE SALE OF SURPLUS VEHICLES FOR THE PURCHASE OF
TWO SUPPLY BUILDINGS**

BE IT RESOLVED, By the Montgomery County Board of Supervisors that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2010, for the function and in the amount as follows:

110 County Administration (Emergency Services) \$6,000

The source of the funds for the foregoing appropriation is as follows:

Revenue Account

02 415207 Sale of Surplus \$6,000

Said resolution appropriates surplus funds generated from the sale of two fire and rescue vehicles for the purchase of two climate controlled pre-fabricated concrete structures designed to house electrical supply and radio communication equipment for public safety agencies in Montgomery County.

ISSUE/ PURPOSE: Appropriate surplus funds generated from the sale of two fire and rescue vehicles.

JUSTIFICATION:

This resolution appropriates \$6,000 in surplus funds generated from the sale of two fire and rescue vehicles (Long Shop McCoy Tanker - \$4,976; Elliston Pumper - \$1,116) for the purchase of two 10'x10' climate controlled pre-fabricated concrete structures designed to house electrical supply and radio communications equipment for multiple emergency services agencies in Montgomery County. The first building will be placed on Poor Mountain and will be used by the following: MCSO, CFD, CRS, EFD, SRS, MCPS. The second building will be placed in Riner on the "Marshall Site." The users will be: RFD, CRS, CFD, MCSO, MCPS, and Floyd County for mutual aid to Montgomery County. These buildings are \$25,000 each when purchased new. These two buildings are used and are being sold to the County for \$3,000 each. They have been in service for 3-5 years respectively. The entire unit is concrete, re-enforced with steel.

5. SUBJECT: INTEROPERABLE EMERGENCY COMMUNICATIONS GRANT PROGRAM

**A-FY-10-
INTEROPERABLE EMERGENCY
COMMUNICATIONS GRANT PROGRAM**

BE IT RESOLVED, By the Montgomery County Board of Supervisors that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2010, for the function and in the amount as follows:

911	Outside Agency Grants	\$51,000
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
434401	Federal Grants
	\$51,000

Said resolution appropriates additional Federal grant funding awarded through the 2009 Interoperable Emergency Communications Grant Program for the Consolidated 911 Emergency Communications project.

ISSUE/ PURPOSE: Appropriate grant funding from the 2009 Interoperable Emergency Communications Grant Program.

JUSTIFICATION: On November 12, 2009, the Board of Supervisors appropriated the initial Federal funding from the 2008 Interoperable Emergency Communications Grant Program grant. That amount was \$111,000. On February 22, 2010, the Board of Supervisors appropriated an additional \$4,000 subsequently awarded under the 2008 grant program. This resolution appropriates grant funding from the 2009 Interoperable Emergency Communications Grant Program. These funds will be used for Phase II of the radio communication needs assessment for the New River Valley region.

6. SUBJECT: CUSTOMER PREMISE EQUIPMENT PROJECT

**A-FY-10-
CUSTOMER PREMISE EQUIPMENT PROJECT
VIRGINIA INFORMATION TECHNOLOGIES AGENCY (VITA) GRANT**

BE IT RESOLVED, By the Montgomery County Board of Supervisors that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2010, for the function and in the amount as follows:

911	Customer Premise Equipment Project	\$745,494
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
424401	State Grants
	\$745,494

Said resolution appropriates Virginia Information Technologies Agency funding for the Customer Premise Equipment Project.

ISSUE/ PURPOSE: Appropriate grant funding for the Customer Premise Equipment Project.

JUSTIFICATION: The County, Town of Blacksburg, and the Town of Christiansburg were awarded funding for the replacement of customer premise equipment (CPE) for each of their dispatch centers. Each locality elected to defer purchase of stand alone equipment

in order to participate in a hosted CPE pilot program that would allow the three localities to plan for proper connectivity among the individual dispatch centers in the region. Montgomery County will serve as the fiscal agent for this project. Therefore, all funds will pass through the County. This resolution appropriates these funds for expenditure.

7. SUBJECT: SHERIFF – RECOVERED COSTS

**A-FY-10-
SHERIFF
RECOVERED COSTS**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2010, for the function and in the amount as follows:

320	Sheriff County	\$1,367
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
419108	Recovered Costs	\$1,367

Said resolution appropriates recovered costs for use by the Sheriff's department.

ISSUE/PURPOSE: Appropriate recovered costs in the Sheriff's Department.

JUSTIFICATION: This resolution appropriates recovered cost revenue for security services provided by the Sheriff's Office (\$867) and ProComm site payments (\$500).

8. **SUBJECT: COUNTY ATTORNEY- TRANSFER FROM
GENERAL CONTINGENCIES
(Balance in General Contingencies before
approval of this Resolution is \$296,622)**

**A-FY-10-
COUNTY ATTORNEY
TRANSFER FROM GENERAL CONTINGENCIES**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

FROM:

950 General Contingencies (\$20,000)

TO:

120 County Attorney \$20,000

Said resolution transfers appropriated funds from General Contingencies to the County Attorney to cover the cost of professional services.

ISSUE/PURPOSE: Transfer appropriated funds from General Contingencies to the County Attorney to cover the cost of professional services.

JUSTIFICATION: This resolution transfers \$20,000 from General Contingencies to provide funds necessary to cover the cost of professional services for the County Attorney. Sufficient funds do not exist in the budget to cover these costs.

D. AGREEMENTS

1. **SUBJECT: LEASE AGREEMENT FOR TEMPORARY
COURTHOUSE PARKING**

**R-FY-10-
A RESOLUTION APPROVING LEASE AGREEMENT
FOR TEMPORARY COURTHOUSE PARKING**

WHEREAS, The County is currently constructing a new courthouse adjacent to the existing courthouse; and

WHEREAS, During the construction period, there will be a temporary loss of parking spaces creating the need for temporary parking; and

WHEREAS, Robert B. Jones, II and Joseph H. Poff, the Owners of Tax Map Number 572-A-239A containing 0.322 acres, located adjacent to Pepper Street near the corner of Pepper Street and First Street, close to the Courthouse (“the Property”) are willing to lease their Property to the County on an annual basis for temporary courthouse parking.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby approve the Lease Agreement between Robert B. Jones, II and Joseph H. Poff and the County of Montgomery, Virginia to lease the 0.322 acres, identified as Tax Map Number 527-A-239A, located adjacent to Pepper Street near the corner of Pepper Street and First Street for the purpose of providing temporary Courthouse parking.

BET IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby authorize Annette Perkins, Chair of the Board, to execute the said Lease Agreement on behalf of the County of Montgomery, Virginia.

ISSUE/PURPOSE: Resolution to enter into a lease agreement for temporary parking.

JUSTIFICATION: Due to the construction of the new courthouse there has been a loss of parking spaces. To address the need for temporary parking spaces, the County is recommending leasing property near the courthouse. Cost of the lease is \$8,000 per year, with the option to renew for an additional year. See TAB C for a copy of the lease agreement.

**2. SUBJECT: PLANNING AND GIS DEPARTMENT -
URBAN DEVELOPMENT AREA GRANT
PROGRAM AGREEMENT**

**R-FY-10
A RESOLUTION APPROVING AN AGREEMENT TO
UTILIZE CONSULTANT SUPPORT TO FACILITATE
THE DEVELOPMENT OF URBAN DEVELOPMENT AREAS
AND RELATED LAND USE ORDINANCE CHANGES**

WHEREAS, Section 15.2-2223.1 was enacted by the General Assembly mandating that Counties with at least 20,000 residents or a population growth of 15% from the last census be required by July 1, 2011, to amend their Comprehensive Plans to include urban development areas and the principals of new urbanism and traditional neighborhood development; and

WHEREAS, An urban development area is an area designated by the locality to be appropriate for higher density development due to proximity to transportation facilities, the availability of a public or community water and sewer system, or proximity to a city, town, or other developed area; and

WHEREAS, The Commonwealth of Virginia, through its Office of Intermodal Planning and Investment, is offering a grant up to \$150,000 with no local match subject to the terms and conditions of the Urban Development Area Grant Program Agreement, to be used by Counties to pay for consultant services to provide technical assistance in amending the County's Comprehensive Plan to include urban development area(s) and the incorporation of new urbanism principles into the County's zoning and subdivision ordinances; and

WHEREAS, The County of Montgomery has applied for and been awarded an Urban Development Area Grant up to \$150,000 subject to the County entering into the Urban Development Area Grant Program Agreement with the Commonwealth of Virginia.

NOW, THEREFORE, BE IT RESOLVED By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby authorizes the acceptance of the Urban Development Area Grant from the Commonwealth of Virginia and approves of the County entering into the Urban Development Area Grant Program Agreement with the Commonwealth of Virginia and further authorizes F. Craig Meadows, County Administrator, to execute the said Grant Agreement on behalf of the County of Montgomery, Virginia.

ISSUE/PURPOSE: Enter into the Urban Development Area Grant Program Agreement.

JUSTIFICATION: The General Assembly is mandating that Counties with at least 20,000 residents or a population growth of 15% from the last census be required by July 1, 2011, to amend their Comprehensive Plans to include urban development areas and the principals of new urbanism and traditional neighborhood development.

Montgomery County applied for and was awarded up to \$150,000 from the State to help cover the costs.

See TAB D for a copy of the letter from the State and the Urban Development Area Grant Program Agreement.

3. SUBJECT: RESOLUTION ENTERING INTO FIELD USE AGREEMENTS – MCCOY BASEBALL FIELD

**R-FY-10-
RESOLUTION ENTERING INTO
FIELD USE AGREEMENTS FOR THE USE OF THE
MCCOY BASEBALL FIELD BY ORGANIZATIONS
THAT OFFER BASEBALL OR SOFTBALL TO COUNTY CITIZENS**

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby authorizes the County to enter into an annual agreement with one or more organizations that offer county residents recreational use at the McCoy Baseball Fields (“McCoy Field”) for baseball or softball use.

BE IT FURTHER RESOLVED, The Board of Supervisors hereby authorizes F. Craig Meadows, County Administrator, to sign the annual agreements on behalf of the County.

ISSUE/PURPOSE: Resolution to enter into a annual ball field use agreements for the use of the McCoy Field.

JUSTIFICATION: Authorize the County Administrator to sign on behalf of the County field use agreements for the use of the McCoy Field for baseball/softball use.

E. ANIMAL CONTROL

1. SUBJECT: LIVESTOCK CLAIM – RASCHID GHORRAHOO

**R-FY-10-
LIVESTOCK CLAIM
RASCHID GHORRAHOO**

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that Raschid Ghorraho is hereby compensated \$ 60.00 for the loss of six (6) chickens.

ISSUE/PURPOSE: To compensate for the loss of livestock.

JUSTIFICATION: On March 24, 2010, Raschid Ghorraho filed a livestock claim requesting reimbursement of \$90 for the loss of six chickens that were killed.

On January 20, 2010, Animal Control investigated the complaint by Raschid Ghorrahoo regarding an animal attack and found six chickens killed. There is a neighbor who witnessed the attack and contacted Mr. Ghorrahoo.

State law and County ordinance requires any livestock claim to be filed within 60 days of the discovery of the livestock killed. Montgomery County Ordinance specifies that compensation of fair market value is not to exceed \$400.00 per animal.

County staff contacted the Virginia Cooperative Extension Office, who stated that the reimbursement cost is estimated at ten dollars (\$10) per chicken. This is based on the current market price.

Therefore, based upon the report filed by Animal Control and verification of reimbursement cost, County staff is recommending the compensation of \$60.00 for the loss of six chickens

TAB E includes the live stock claim by Mr. Ghorrahoo, copy of a witness report and a copy of the Animal Control report.

F. APPOINTMENTS:

**1. SUBJECT: PARKS AND RECREATION COMMISSION-
APPOINT DISTRICT F REPRESENTATIVE**

**R-FY-10-
PARKS AND RECREATION COMMISSION
APPOINTMENT – DISTRICT F REPRESENTATIVE**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Larry Alexander**, who resides in District F, to the Parks and Recreation Commission effective April 13, 2010 and expiring April 12, 2013.

ISSUE/PURPOSE: Appoint Larry Alexander as District F representative to the Parks and Recreation Commission.

JUSTIFICATION: Mr. Alexander was interviewed by the Interview Committee (Supervisors Perkins and Brown) on February 23, 2010.

**2. SUBJECT: NEW RIVER/MOUNT ROGERS
WORKFORCE INVESTMENT
CONSORTIUM BOARD-APPOINT
ALTERNATE**

**R-FY-10-
NEW RIVER/MOUNT ROGERS
WORKFORCE INVESTMENT CONSORTIUM BOARD
APPOINT ALTERNATE**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **F. Craig Meadows** as alternate for William H. Brown on the **New River/Mount Rogers Workforce Investment Consortium Board**, effective April 13, 2010 and expiring January 7, 2011.

BE IT FURTHER RESOLVED, That employees appointed to boards/commissions/authorities as a representative for Montgomery County, such appointment is contingent upon their continued employment with the County and that any such termination or resignation from employment would also constitute a voluntary resignation from such board/commission/authority.

ISSUE/PURPOSE: Appoint the County Administrator to serve as alternate to Supervisor Bill Brown on the New River/Mount Rogers Workforce Investment Consortium Board.

JUSTIFICATION: The Charter recently signed by the thirteen participating jurisdictions allows each jurisdiction to appoint an alternate to represent the jurisdiction at Consortium meetings in the absence of the appointed member. The alternate counts toward establishing a quorum to conduct an official meeting and is allowed to vote. The alternate must be an elected government official or the Chief Administrative Officer. See TAB **F** for copy of a memo from Ronnie Martin, Executive Director of the New River/Mount Rogers Workforce Investment Board.